

## REMARKS

In view of the above amendments and the following remarks, Applicant requests favorable reconsideration of the above-identified application.

Claims 1-24 remain pending in this application, with Claims 1, 5, 9, 12, 15, 18 and 24 being independent. By this Amendment, Applicant has amended Claims 5, 9-12, 15 and 18. Claims 1-4 and 18-24 are allowed. Applicant submits that the change to allowed Claim 18 merely puts that claim in even better form, and does not affect the allowability thereof.

The drawings stand objected to under 37 C.F.R. 1.83(a), for not showing “a condenser for condensing the diffracted lights beams generated by said diffraction grating onto substantially one point on said annular grating,” or “a condenser making the diffracted lights beams generated by said diffraction grating in a state of tending to be condensed on said annular grating.” Without conceding the propriety of the objection, Applicant has amended those recitations in the claims to clarify the same. For example, Claim 5 now recites “a condenser configured so that the diffracted light beams generated by said diffraction grating are condensed on said annular grating.” Applicant submits that such features are shown, for example, in Fig. 15, Fig. 28(b), and Fig. 38, which show a condenser (e.g., a lens), as well as condensation of light beams on the annular grating. Accordingly, Applicant requests withdrawal of the objection to the drawings.

Claims 5-17 stand rejected under 35 U.S.C. § 112, first paragraph, as failing to comply with the enablement requirement. Without conceding the propriety of this rejection, Applicant has amended independent Claims 5, 9, 12 and 15, as generally discussed above with respect to the objection to the drawings, to clarify the claim language giving rise to this rejection. Also, Applicant notes that, in the preferred embodiment, the combined arrangement of the condenser, diffraction grating and the annular grating achieve the recited condensation of light beams. Applicant submits that the specification contains

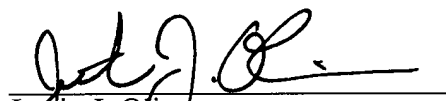
an enabling description of such features at, for example, pages 23 and 24, paragraphs [0108]-[0110]. Accordingly, Applicant requests withdrawal of this rejection.

Claims 10 and 11 were also objected to as being duplicates of Claims 6 and 7. Applicant has amended Claims 10 and 11 to attend to this matter. Accordingly, Applicant requests withdrawal of this objection.

For the foregoing reasons, Applicant submits that this application is in condition for allowance, and respectfully requests a Notice of Allowance.

Applicant's undersigned attorney may be reached in our Washington, D.C. office by telephone at (202) 530-1010. All correspondence should continue to be directed to our address given below.

Respectfully submitted,

  
Justin J. Oliver  
Attorney for Applicant  
Registration No. 44,986

FITZPATRICK, CELLA, HARPER & SCINTO  
30 Rockefeller Plaza  
New York, New York 10112-3801  
Facsimile: (212) 218-2200

JJO/tmm

DC\_MAIN 172354v1